

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Ronald Nicoletti, Jr.,
Plaintiff,

vs.

MKTG, Inc. and Steve Gittelman,
Defendant.

Civil Action No.: 5:17-cv-00624-D

**ORDER DISMISSING DEFENDANT
STEVE GITTELMAN WITHOUT
PREJUDICE**


This matter comes before this Court on Plaintiff Ronald Nicoletti, Jr.'s motion for the voluntary dismissal of Defendant Steve Gittelman, individually and without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2) and for an Order holding the deadline for Plaintiff to respond to Gittelman's Motion to Dismiss Pursuant to 12(b)(2) for Lack of Personal Jurisdiction, (ECF No. 18), in abeyance pending the resolution of Plaintiff's Motion to Dismiss Gittelman. This Court finds as follows:

IT IS, THEREFORE, ORDERED that Plaintiff's Motion pursuant to Federal Rule of Civil Procedure 41(a)(2) for an Order dismissing, without prejudice, all claims against Defendant Steve Gittelman, individually, is GRANTED.

IT IS FURTHER ORDERED that each party shall bear their own costs of this action.

IT IS FURTHER ORDERED that Gittelman's Motion to Dismiss Pursuant to 12(b)(2) for Lack of Personal Jurisdiction (ECF No. 18) is mooted as Gittelman is no longer a party to the case.

SO ORDERED. This 16 day of May 2018.



JAMES C. DEVER III
Chief United States District Judge